

REMARKS

Claims 1 and 3-5 are pending in this application. By this Amendment, claims 1 and 5 are amended. No new matter is added by these amendments. Claim 2 is canceled without prejudice to, or disclaimer of, the subject recited in that claim. Reconsideration of the application based upon the above amendments and the following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action, in paragraph 3, rejects claims 1-4 under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 1 is amended to obviate this rejection. Accordingly, reconsideration and withdrawal of the rejection of claims 1-4 under 35 U.S.C. §112, second paragraph, as being indefinite are respectfully requested.

The Office Action, in paragraph 5, rejects claims 1-5 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1 and 5 are amended to obviate this rejection. Accordingly, reconsideration and withdrawal of the rejection of claims 1-5 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, are respectfully requested.

The Office Action, in paragraph 9, rejects claims 1-4 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,085,832 to Shaw et al. (hereinafter "Shaw") in view of U.S. Patent No. 5,650,122 to Harris et al. (hereinafter "Harris"). Additionally, the

Office Action, in paragraph 10, rejects claim 5 under 35 U.S.C. §103(a) as being unpatentable over Shaw in view of Harris, and further in view of U.S. Patent No. 4,925,629 to Schramm. Applicants respectfully traverse these rejections.

The Office Action concedes that Shaw fails to disclose the employment of a second probe. The Office Action relies on Harris to overcome this deficiency of Shaw. However, any permissible combination of Shaw and/or Harris, fails to teach a probe wash reservoir located beneath a carriage tray and a wash location of the storage well, the movable support being movable, in the absence of a storage well, to bring the aspirator probe into the probe wash reservoir, as positively recited in claim 1.

None of the applied prior art references teach a probe reservoir located beneath a carrier tray. Specifically, Shaw does not teach a carrier tray or a wash reservoir, and Harris does not teach a wash reservoir located beneath the tray. Schramm is silent regarding any type of wash feature. Therefore, any permissible combination of the applied prior art references fails to teach, or to have suggested, these features.

For at least the above reason, Shaw, Harris and Schramm cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features recited in at least independent claim 1. Further, claims 3-5 would also not have been suggested by the applied prior art references for at least the respective dependence of these claims on allowable independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1 and 3-5 under 35 U.S.C. §103(a) as being unpatentable over the combinations of applied prior art references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 3-5 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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